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those which have become famous. These may well be deemed the rather creditable slips of an enthusiast. Of a different class is the omission to do all that can be done to protect the general reader from laying too much stress upon *di ta*; but the truth is that to render judicial opinions safe reading for laymen is an almost impossible undertaking.

E. W.

CORPORATIONS. A Study of the Origin and Development of Great Business Combinations and of their Relation to the Authority of the State. By John P. Davis. In two volumes. New York and London: G. P. Putnam's Sons. 1905. pp. ix, 318; iii, 295. 8vo.

This work was designed as an historical introduction to a more extended treatise upon "the modern corporation question," an undertaking which was cut short by the author's death in 1903. The present volumes are confined to the earlier ecclesiastical, educational, and eleemosynary corporations, to guilds and municipal corporations, and to the chartered trading companies. The development of joint-stock enterprise in the nineteenth century and all modern phases of the corporation problem are practically untouched, so that nothing but the ambitious title suggests the purpose the author had in view.

The book expressly disclaims original historical research, and professes rather to be an interpretation "of existing and accessible historical material." But even of secondary sources the author had very imperfect command; and his narrative is confined chiefly to England, dealing with other countries only when some such work as Rashdall's "Universities in Europe" gives him a broader outlook upon the facts. Even in the case of England, however, he has failed to make the most of such writers as Pollock and Maitland. For the general reader who desires an account of the early development of English corporations the book may be of some value; to the serious student it will be of little use.

The superficial character of Mr. Davis's historical chapters is not calculated to give one confidence in his interpretation of the "nature of corporations" or in his exposition of "the legal view of corporations"; and, in point of fact, these interpretative chapters yield results that are neither strikingly new nor strikingly important. It would have been well, moreover, to have deferred the consideration of the relation of corporations to the state until the history of corporate enterprise in the nineteenth century had been adequately examined. As the volumes stand, they are hardly more successful in legal interpretation than in historical research. Finally, in the reading of the proof "the author's legal representative," to whom the work fell, has not been particularly faithful to his trust.

C. J. B.

HINTS FOR FORENSIC PRACTICE. A Monograph on Certain Rules Appertaining to the Subject of Judicial Proof. By Theodore F. C. Demarest. New York: The Banks Law Publishing Company. 1905. pp. x, 123. 12mo.

This book will be of practical value to the trial lawyers of New York. It treats of objections to evidence, of striking out and disregarding evidence, and of motions to direct and set aside verdicts. Particular attention is paid to the effect of general objections, and to the meaning of the familiar but often little understood phrase, "incompetent, irrelevant, and immaterial." The text consists largely of extracts from New York decisions arranged in a novel and convenient manner. Every quotation from a decision is followed by a "remark" in a separate paragraph, which points out the relation of that case to the development of the law, and at the end of the cases upon a particular point the author's conclusions appear in an excellent summary. The method is that of a law lecture under the case system, and the happy result should commend the plan to text-writers whenever the topic handled is sufficiently limited to permit its use. Although the principles involved in Mr. Demarest's work are simple, many lawyers practise for years without thoroughly understanding them, and his

analysis of the cases will make much easier a mastery of the points of practice which he discusses. It is to be regretted that he did not widen the scope of his treatise so that it would be of value to the profession at large.

A SHORT HISTORY OF ROMAN LAW. By Paul Frédéric Girard. Being the first part of his *Manuel Élémentaire de Droit Romain*. Translated by Augustus Henry Frazer Lefroy and John Home Cameron. Toronto: Canada Law Book Company. 1906. pp. v., 220. 12mo.

Since its first appearance in 1895 the *Manuel Élémentaire de Droit Romain* of M. Girard has been recognized as from every point of view one of the best brief works available for the study of Roman law, and English readers will welcome a translation of the excellent historical introduction. The little volume is of about the same length as the historical chapters of Sohm's *Institutes*, but the method of treatment of the two jurists is so different that students will need to refer to both books. Moreover the general bibliography which M. Girard's translators have included has no parallel in the other manuals, and forms an admirable guide to the ancient and modern literature of the subject. The translation is faithful, though at times too literal for English idiom, and it is to be hoped that Messrs. Lefroy and Cameron will feel sufficiently encouraged to translate the remaining portion of the work.

C. H. H.

THE AMERICAN LAW RELATING TO INCOME AND PRINCIPAL. By Edwin A. Howes, Jr. Boston: Little, Brown, and Company. 1905. pp. xviii, 104. 12mo.

This small volume explains in detail the rules of law which control the separation of the returns from trust investments into income and principal. The subjects treated include the ownership of dividends on stock, the duty of the trustee to preserve the *corpus* intact, the apportionment of loss or profit, the determination of the moment when enjoyment of income begins, and the apportionment of current income between life tenant and remainderman. While no attempt is made to deal with theoretical problems of law, the statement of principles is clear and accurate, and is couched in untechnical language. Hence laymen as well as lawyers should find the book useful.

THE CONSTITUTIONAL HISTORY OF NEW YORK, from the Beginning of the Colonial Period to the year 1905, showing the Origin, Development, and Judicial Construction of the Constitution. By Charles Z. Lincoln. In five volumes. Rochester, N. Y.: The Lawyers' Co-operative Publishing Company. 1906. pp. xxx, 756; xvii, 725; xviii, 757; xxvi, 800; 547-8vo.

A TREATISE ON THE INCORPORATION AND ORGANIZATION OF CORPORATIONS, created under the "Business Corporation Acts" of the several States and Territories of the United States. By Thomas Gold Frost. Second Edition, enlarged and revised to January 1, 1906. Boston: Little, Brown, and Company. 1906. pp. xv, 698. 8vo.

STREET RAILWAY REPORTS ANNOTATED, reporting the Electric Railway and Street Railway Decisions of the Federal and State Courts in the United States. Edited by Frank B. Gilbert. Volume III. Albany, N. Y.: Matthew Bender & Company. 1906. pp. xxvi, 1010. 8vo.

CURRENT LAW: A Complete Encyclopedia of New Law. Volume IV., Indictment to Witnesses. George Foster Longsdorf, Editor; Walter H. Shumaker, Associate. St. Paul, Minn.: Keefe-Davidson Company. 1905. xv, 1971. 4to.